

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FEDERAL HOUSING FINANCE AGENCY,
AS CONSERVATOR FOR THE FEDERAL
NATIONAL MORTGAGE ASSOCIATION
AND THE FEDERAL HOME LOAN
MORTGAGE CORPORATION,

Plaintiff,

-against-

HSBC NORTH AMERICA HOLDINGS
INC., HSBC USA INC., HSBC MARKETS
(USA) INC., HSBC BANK USA, N.A., HSI
ASSET SECURITIZATION
CORPORATION, HSBC SECURITIES
(USA) INC., NEAL LEONARD, GERARD
MATTIA, TODD WHITE, and JON
VOIGTMAN,

Defendants.

**NOTICE OF PLAINTIFF FHFA'S
MOTION TO EXCLUDE THE
OPINIONS AND TESTIMONY
OF DEFENDANTS' EXPERT
FRANK LUCCO AND
RESPONSE TO HSBC
DEFENDANTS' MOTION TO
EXCLUDE TESTIMONY OF
FHFA EXPERT JOHN A.
KILPATRICK PH.D.
CONCERNING VALUATION
DUE DILIGENCE**

No. 11 CIV. 6189 (DLC)

PLEASE TAKE NOTICE that Plaintiff Federal Housing Finance Agency ("FHFA"), as Conservator for the Federal National Mortgage Association ("Fannie Mae") and the Federal Home Loan Mortgage Corporation ("Freddie Mac" and, together with Fannie Mae, the "GSEs"), by its attorneys, Quinn Emanuel Urquhart & Sullivan, LLP, upon the respective Declaration of Jonathan Eser, Esq., dated August 22, 2014, and the exhibits attached thereto, and the accompanying Plaintiff's Memorandum in Support of Motion to Exclude the Opinions and Testimony of Defendants' Expert Frank Lucco and Response to HSBC Defendants' Motion to Exclude Testimony of FHFA Expert John A. Kilpatrick Ph.D. Concerning Valuation Due Diligence, dated August 22, 2014, hereby moves before this Court for an Order excluding the opinions and testimony of Defendants' expert Frank Lucco and allowing the opinions and

testimony of FHFA expert John Kilpatrick, Ph.D., and for such other and further relief as the Court may deem just and proper.

DATED: New York, New York
August 22, 2014

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By: /s/ Philippe Z. Selendy

Philippe Z. Selendy
Christine H. Chung
Sascha N. Rand
Jonathan B. Oblak

51 Madison Avenue, 22nd Floor
New York, New York 10010-1601
(212) 849-7000

Attorneys for Plaintiff Federal Housing Finance Agency, as Conservator for Fannie Mae and Freddie Mac